

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case Number: 22-22171-CIV-MARTINEZ-SANCHEZ

MICHAEL FITZGERALD, individually,
and YELANY DE VARONA,
individually,

v.

RONDA MCNAE, individually, and
WILLIAM MCNAE, individually,

Defendants.

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ORDER ON REPORT AND RECOMMENDATION

THIS MATTER was referred to the Honorable Eduardo I. Sanchez, United States Magistrate Judge, for a Report and Recommendation on Plaintiffs' Motion to Bifurcate Pursuant to Rule 54(d)(2)(C) and Motion for Extension of Time to Comply with Local Rule 7.3(a) ("Plaintiffs' Motion"), (ECF No. 115), and Defendant William McNae's Verified Motion for Attorney's Fees and Costs ("Defendant W. McNae's Motion"), (ECF No. 119). Judge Sanchez filed a Report and Recommendation ("R&R"), recommending that Plaintiffs' Motion be granted in part and denied in part as moot and that Defendant W. McNae's Motion be denied. (ECF No. 178). Defendant W. McNae McNae filed objections to the R&R ("Objections") (ECF No. 184), to which Plaintiffs responded, (ECF No. 185). The Court, having conducted a *de novo* review of the record and the issues presented in the Objections, agrees with Magistrate Judge Sanchez that Defendant W. McNae's Motion must be denied. The Court overrules the Objections, (ECF No. 184).

Accordingly, after careful consideration, it is hereby **ADJUDGED** that

1. United States Magistrate Judge Sanchez's R&R, (ECF No. 178), is **AFFIRMED AND ADOPTED**.

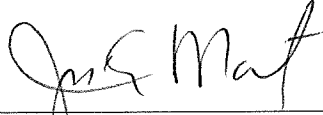
2. Plaintiffs' Motion to Bifurcate Pursuant to Rule 54(d)(2)(C) and Motion for Extension of Time to Comply with Local Rule 7.3(a), (ECF No. 115), is **GRANTED** as to the

issue of bifurcation and **DENIED AS MOOT** as to the requested extension of time to comply with the briefing requirements as to amount under Local Rule 7.3(a).

3. Defendant William McNae's Verified Motion for Attorney's Fees and Costs, (ECF No. 119), is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 6 day of September, 2024.

Copies provided to:
Magistrate Judge Sanchez
All Counsel of Record



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE